

Minutes of the Maine Real Estate Commission

JULY 21, 2005

MEMBERS PRESENT

Earl Black
David Kitchen
Sharon Millett
Jeffrey Mitchell
Winfred Stevens

STAFF PRESENT

Carol Leighton, Director
Karen L. Bivins, Deputy Director
Judy Brown, Examiner
Robert Perkins, A.A.G.
Judy Peters, A.A.G.
Susan Greenlaw, Secretary

MEMBERS ABSENT

Location: Central Conference Room

Start: 9:00 a.m.

Adjourn: 12:30 p.m.

Minutes – June 16, 2005

A motion was made by David Kitchen and seconded by Winfred Stevens to approve the minutes of the June 16, 2005 meeting as written. Unanimous.

Agenda Modifications

A motion was made by Jeffrey Mitchell and seconded by David Kitchen to add the following to the agenda. Unanimous.

I. Proposed Consent Agreement

A. #2005-095

Commission Hearings

The hearing in the matter of Director v. Laurence A. Kelly was continued.

The Chair opened the hearing in the matter of Director v. Della E. Lamoreau. The Director was present and represented by Assistant Attorney General Robert Perkins. Assistant Attorney General Judy Peters advised the Commission. Ms. Lamoreau was present and was not represented by an attorney. Public deliberations were conducted at the close of the hearing.

A motion was made by Earl Black and seconded by Winfred Stevens to find Lamoreau in violation of 32 M.R.S.A. §§13067(1)(F) and 13191(1). Unanimous.

A motion was made by Earl Black and seconded by Winfred Stevens to order Lamoreau to pay a fine in the amount of \$400, payment arrangements shall be at the discretion of the Director,

however, not to exceed one year from the appeal deadline. Unanimous. A motion was made by Winfred Stevens and seconded by David Kitchen to amend the motion to require the fine to be paid within 4 months. Unanimous.

Commission Decisions Pending

Director v. Diana B. Parsons: A motion was made by David Kitchen and seconded by Jeffrey Mitchell to accept the Decision in the matter of Director v. Diana B. Parsons. Unanimous.

Director v. David A. Ireland – Amended Decision: A motion was made by David Kitchen and seconded by Earl Black to accept the Amended Decision in the matter of Director v. David A. Ireland. Stevens recused and left the room. Black, Kitchen, Millett, and Mitchell voted in the affirmative; none opposed. Motion carried.

Consent Agreements

A motion was made by Winfred Stevens and seconded by Earl Black to accept the proposed Consent Agreements in case numbers 2003-139 (with typographical correction), 2003-152 (with typographical correction), 2005-079, and 2005-095. Unanimous.

Dismissed Complaints

A motion was made by Jeffrey Mitchell and seconded by David Kitchen to accept the proposed Dismissal in case number 2005-083. Unanimous.

A motion was made by Winfred Stevens and seconded by Jeffrey Mitchell to accept the proposed Dismissals in case numbers 2005-024 and 2005-070. Kitchen recused and left the room. Black, Millett, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

Director's Report

Education Task Force – Update: Two meetings have been held and progress is being made.

Discussion – Rulemaking initiative to implement new laws: Discussed the newsletter which is scheduled for mailing some time within the next week. Several statutory changes are expected to cause some confusion and questions from licensees. The Commission will be meeting on August 8 specifically for rule making discussions.

PROMISSOR® – New Examination Content Outline: Members were provided with a letter from Promissor® announcing the 2005 deployment of updated national real estate exams.

William P. Mouflouse v. MREC – Appeal – 6/13/05 Superior Court Decision: Members were provided with a copy of the Decision.

Next Meeting Scheduled for August 8, 2005

The meeting was adjourned at 12:30 p.m.

This report respectfully submitted,

Sharon Millett
Chairperson

Carol J. Leighton
Director